

UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF NORTH CAROLINA
1:06MC46

THE SCO GROUP, INC.,

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**ORDER ALLOWING EXPEDITED
BRIEFING SCHEDULE**

This matter is before the Court on Motion of Plaintiff, The SCO Group, Inc. “(SCO)”, to Expedite the Briefing Schedule on SCO’s Motion to Enforce Subpoena and Compel Deposition of Non-Party Otis Wilson.

Mr. Wilson’s deposition testimony is sought by SCO in conjunction with litigation that is pending in the United States District Court for the District of Utah, *The SCO Group, Inc. v. International Business Machines, Inc.*, Case No. 2:03CV0294DAK (the “Utah litigation”). Due to discovery, summary judgment, and expert report deadlines in the Utah litigation, the Court finds that the Motion to Expedite the Briefing Schedule should be allowed.

IT IS HEREBY ORDERED that Plaintiff’s motion to expedite briefing schedule (Pleading No. 3) is **GRANTED** and that Otis Wilson and/or IBM be required to file a Response Brief to SCO’s Motion to Enforce Subpoena and Compel Deposition, if any, by 21 April 2006 and that SCO be required to file a Reply Brief, if any, by 25 April 2006.

/s/ P. Trevor Sharp
United States Magistrate Judge

Date: April 19, 2006